

Message Text

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PAGE 01 BERLIN 01631 191609Z

45

ACTION EUR-25

INFO OCT-01 ISO-00 EURE-00 INRE-00 SSO-00 NSCE-00 EPA-04

CEQ-02 SS-15 NSC-10 DODE-00 CIAE-00 PM-07 INR-10 L-03

NEA-10 NSAE-00 PA-03 RSC-01 PRS-01 SPC-03 USIA-15

TRSE-00 MBFR-04 SAJ-01 SCI-06 IO-13 EB-11 ACDA-19

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FM USMISSION BERLIN

TO AMEMBASSY BONN IMMEDIATE

INFO SECSTATE WASHDC 2426

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L BERLIN 1631

E.O. 11652: GDS

TAGS: PGOV, WB, GW, UR

SUBJECT: FRG ENVIRONMENTAL OFFICE

REF: BERLIN 1625

1. ALLIED MISSIONS PASSED FOLLOWING TWO DRAFTS TO SENAT
SEPTEMBER 19 AS EXAMPLE OF REQUEST FOR AUTHORIZATION
AND ALLIED RESPONSE THAT MIGHTBE USED TO REGULARIZE
ESTABLISHMENT OF FRG INTERIM ENVIRONMENTAL OFFICE IN
BERLIN:

A. "SENAT VERMERK NO. --- OF --- SEPTEMBER 1973

"THE SENAT WISHES TO CALL THE ATTENTION OF THE
ALLIED AUTHORITIES TO THE CREATION OF THE FEDERAL
OFFICE FOR ENVIRONMENTAL AFFAIRS WITH THE MANDATE SET
FORTH IN THE ATTACHED DECREE OF THE FEDERAL MINISTER
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PAGE 02 BERLIN 01631 191609Z

OF THE INTERIOR. THE SENAT CONSIDERS THAT THE LOCATION

OF THIS OFFICE IN BERLIN PURSUANT TO AN AUTHORIZATION
OF THE ALLIED AUTHORITIES WOULD BE DESIRABLE.

"IT IS INTENDED THAT THE ABOVE-MENTIONED OFFICE
SHALL BE DISSOLVED SUBSEQUENT TO PASSAGE BY THE BUNDESTAG
OF A LAW CREATING A PERMANENT FEDERAL ENVIRONMENTAL
AGENCY. IT IS ENVISAGED THAT THIS LAW WILL CONTAIN A
BERLIN CLAUSE, AND THE SENAT WOULD CONSIDER BERLIN AN
APPROPRIATE LOCATION FOR THE AGENCY. THE TAKING OVER
OF THIS LAW IN BERLIN WOULD BE SUBJECT TO THE
ESTABLISHED PROCEDURES.

"ANLAGE: ERLASS UEBER DIE ERRICHTUNG EINER
BUNDESSTELLE FUER UMWELTANGELEGENHEITEN."

B. "BK/L(73)--

"DEAR MR. GOVERNING MAYOR:

"WITH REFERENCE TO SENAT VERMERK NO.---OF---
SEPTEMBER 1973, THE ALLIED KOMMANDATURA AUTHORIZES
THE ESTABLISHMENT IN BERLIN OF THE FEDERAL OFFICE FOR
ENVIRONMENTAL AFFAIRS. THIS OFFICE WILL OPERATE SUBJECT
TO THE RESERVED RIGHTS AND RESPONSIBILITIES OF THE
ALLIES IN PARTICULAR WITH RESPECT TO SECURITY AND STATUS,
IN ACCORDANCE WITH THE PROVISIONS OF THE QUADRIpartite
AGREEMENT OF SEPTEMBER 3, 1971, AND WITHIN THE MANDATE
SET FORTH IN THE ANNEX TO THE ABOVE-REFERENCED SENAT
VERMERK.

"IT IS THE UNDERSTANDING OF THE ALLIED KOMMAN-
DURA THAT THE FEDERAL OFFICE FOR ENVIRONMENTAL AFFAIRS
WILL BE DISSOLVED SUBSEQUENT TO PASSAGE BY THE BUNDESTAG
OF A LAW CREATING A PERMANENT FEDERAL ENVIRONMENTAL
AGENCY. THE ALLIED KOMMANDATURA WILL STUDY DRAFT
LEGISLATION RESPECTING SUCH AN AGENCY IN ACCORDANCE
WITH ESTABLISHED PROCEDURES FOR THE ADOPTION OF LEGISLA-
TION IN BERLIN."

2. SENAT REPRESENTATIVE (HEIDELMEYER) CONCURRED IN
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PAGE 03 BERLIN 01631 191609Z

DRAFTS BUT SAID HE WISHED TO CHECK WITH SUPERIORS AND
WITH BONN. HE SAID THAT SENAT MIGHT BE PREPARED TO
SUBMIT FORMAL REQUEST TO ALLIES SEPTEMBER 21.

3. WE RECOMMEND THAT REQUEST AND AUTHORIZATION
BE EXCHANGED WITH SENAT AT EARLIEST POSSIBLE DATE, WHETHER
OR NOT BONN GROUP HAS IN MEANTIME AGREED ON TEXT OF
REPLY TO BELETSKIY'S DEMARCHE. MOREOVER, IT WOULD

BE USEFUL FOR US TO BE ABLE TO TELL BELETSKIY AT SUCH
TIME AS WE RESPOND TO HIS DEMARCHE THAT AUTHORIZATION
OF INTERIM OFFICE HAS ALREADY BEEN ACCOMPLISHED IN
ACCORDANCE WITH ESTABLISHED PROCEDURES. PENDING
COORDINATION WITH BRITISH AND FRENCH, THEREFORE, WE
ARE PREPARED TO EXCHANGE PAPERS AS SOON AS WE GET
WORD BACK FROM SENAT.KLEIN

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